

Chairman Pedro Nieves Miranda
Commonwealth of Puerto Rico
Junta de Calidad Ambiental
Edificio de Agencias Ambientales
PO Box 11488, San Juan, PR 00910

Re: “Agremax” Manufactured Aggregate - Resolutions and Notifications

Dear Chairman Nieves:

I was very pleased to read your letter of January 20, 2012, in which you offered to participate in an ongoing investigation by the U.S. Environmental Protection Agency (EPA) of the management of coal ash aggregate (“Agremax”) generated by the AES Guayama coal-fired power plant in Guayama, Puerto Rico, and would most certainly welcome the involvement of the Puerto Rico Environmental Quality Board (EQB).

We are planning a site visit at the AES Guayama facility in early March, during which samples of Agremax will be taken for subsequent analysis using EPA’s new leaching environmental assessment framework test methods, which are scheduled for publication in the next revision of EPA’s *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Document No. SW-846*. We believe that this will provide an accurate assessment of the leaching potential of the Agremax.

Please contact George C. Meyer at (212) 637-4070 should you wish to discuss this matter further, or have your staff contact Leonard Grossman at (212) 637-4039 should you wish to coordinate with our upcoming site visit. Please be assured that we will keep you informed of all further developments and will look forward to your ongoing participation in the investigatory process.

Sincerely yours,

Judith A. Enck
Regional Administrator

cc: Allan Dyer, President
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